

CONTRACTOR PERFORMANCE EVALUATION & RATING

HANDBOOK



Colorado Department
of Public Health
and Environment

Revised October 2010
Purchasing & Contracts Unit
Contracts Performance Manager

Table of Contents

I: INTRODUCTION.....	3
II: GENERAL INSTRUCTIONS	3
<i>Documentation</i>	3
<i>Contractor Notification</i>	4
<i>Evaluation Time Line</i>	4
<i>Evaluation Procedures</i>	4
III. TYPES OF EVALUATIONS	5
<i>Quarterly Performance Evaluation</i>	5
<i>Final Performance Evaluation</i>	5
<i>Construction Report (Evaluation)</i>	6
IV: EVALUATION OF TERMINATED CONTRACTS.....	7
V: EVALUATION OF MULTI-PARTY CONTRACTS	7
VI: EVALUATION PROCESS	7
VII: BELOW STANDARD RATINGS & DISPUTES.....	8
VIII: EVALUATION CATEGORY DEFINITIONS & FACTORS.....	8
<i>Construction Contracts ONLY – Additional Evaluation Categories</i>	10
IX: CONTRACTOR PERFORMANCE RATING DEFINITIONS & FACTORS	11
APPENDIX: A	12
<i>QUARTERLY Contractor Performance Evaluation Procedure</i>	12
APPENDIX: B	13
<i>QUARTERLY Contractor Performance Evaluation and Rating Worksheet</i>	13
APPENDIX: C.....	14
<i>QUARTERLY Email Language</i>	14
APPENDIX: D.....	15
<i>FINAL Contractor Performance Evaluation Procedure</i>	15
APPENDIX: E.....	17
<i>FINAL & CONSTRUCTION Email Language</i>	17
APPENDIX: F.....	18
<i>CONSTRUCTION Contractor Performance Evaluation Procedure</i>	18
APPENDIX: G	20
<i>Evaluation Forms</i>	20
APPENDIX: H	20
<i>Technical Assistance</i>	20

I: INTRODUCTION

Effective July 1, 2009, the Colorado Department of Public Health and Environment (CDPHE) implemented regular contractor performance evaluations as a routine component of contract management. State agencies and Institutions of Higher Education are exempt from this requirement. Contractor performance is defined as how a contractor carries out the obligations of the contract. This includes all requirements stated in the contract scope of work and provisions, adherence to the budget or price and the provision of customer service. The purpose of this handbook is to establish a standardized process within CDPHE to identify, document and communicate performance with contractors and other program and state agency staff. The process used provides program and fiscal staff the ability to identify performance issues, if any, as they arise which affords staff the opportunity to work with the contractor to correct issues of noncompliance or deficiencies. The performance evaluation process provides feedback to contractors with satisfactory or exemplary performance as well.

Performance evaluations will occur quarterly throughout the contract period. A final evaluation will occur at the end of the life of the contract. Construction contracts valued at \$500,000 or more are required by C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101 to receive a construction contract evaluation in addition to the final evaluation. The construction evaluation is conducted at the same time as the final evaluation.

The results of each evaluation, quarterly, final and construction is emailed to the contractor for review and comment. The evaluation process is NOT a collaborative process between contractor and staff. Contractors do not participate in the evaluation process or the determination of the rating. The process is based solely on documentation of performance found in CDPHE program and fiscal files. The purpose for sharing the evaluations with the contractor is to provide feedback to the contractor on performance.

All evaluations result in a rating of the contractor's performance. Only the rating resulting from the final and construction evaluations will be recorded in the Contract Management System (CMS) for personal services contracts. If the contract meets the requirements of C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101, and 24-105-102, the final evaluation rating will be posted to the public website. The public website is a searchable database of all State personal services contracts valued at \$100,000 or more entered into or amended after July 1, 2009. The following link provides access to the public website <http://contractsweb.state.co.us>

All CDPHE guidance documents, to include instructions, procedures, forms, email language, memorandums and other information related to contractor performance evaluation, is posted on the Contract Performance Monitoring intranet web page which can be accessed by clicking on <http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html>

II: GENERAL INSTRUCTIONS

DOCUMENTATION

All contractor performance evaluations, quarterly, final and construction must be based on documentation of contractor performance collected throughout the contract period under review. The types and amount of documentation found in program and fiscal files will vary from one contract to another as contract deliverables, requirements, methods used to monitor the contract and the level of oversight given to the contract is variable.

Documentation used for the evaluations must be archived either electronically or hard copy. Electronic documentation must be accessible to others and should be saved to a shared CDPHE drive. Hard copies can be maintained in fiscal files, program files or both.

Documentation generated as a result of the performance evaluation process must be maintained as well; these documents can be archived as stated above.

CONTRACTOR NOTIFICATION

Contractors should be made aware of the evaluation process prior to receiving the results of the first evaluation. An informational memorandum, developed by the Contracts Performance Manager, should be emailed to the contractor prior to the first performance evaluation. This memorandum explains the purpose for the evaluation, process and rating system. Contractors requesting additional information about the evaluation process should be instructed to contact the Contracts Performance Manager directly.

EVALUATION TIME LINE

Quarterly performance evaluations must be completed no later than 30 calendar days after the end of the review period. During the 30 calendar days, the evaluation is conducted, the results are sent to the contractor and the contractor is provided time to review the results. The contractor has the option of submitting comments concerning the evaluation and rating during this time period. There is some flexibility to this time line for unforeseen or unusual circumstances.

Final evaluations and construction evaluations must be concluded no later than 30 calendar days after the completion of the contract. Contract completion is defined below.

Construction contracts are complete when one of the following occurs:

a) Contractor warranty period ends, occurring one (1) year following the date of the Notice of Substantial Completion, or as otherwise provided in the construction contract;

OR

b) Public notification requirements under CRS §38-26-107 are completed.

All other **Personal Services** contracts are complete when the contractor has finished all of its performance obligations, including submission of its final invoice, and one of the following occurs:

a) CDPHE has accepted the contractor's performance and agreed upon the final payment

OR

b) six (6) months has passed since the contractor submitted its final invoice.

During the 30 calendar days, the evaluation is conducted, the results are sent to the contractor and the contractor is provided time to review the results and submit comments to the program. The results of the evaluation to include other specific information relating to the evaluation process must be entered into CMS within the 30 days.

EVALUATION PROCEDURES

A procedure is provided for each type of performance evaluation and included in this handbook. The appropriate procedure must be followed and the required forms must be used.

III. TYPES OF EVALUATIONS

QUARTERLY PERFORMANCE EVALUATION

Quarterly Contractor Performance Evaluations are required of all contracts with an effective date of July 1, 2009 or later or contracts that have been amended effective July 1, 2009 or later. **EXEMPTIONS:** Interagency Agreements, Revenue, Real Property and contracts for Commodities/Goods are exempt, regardless of the contracting entity.

Quarterly evaluations are based solely on documentation of performance maintained in fiscal and program files, for the quarter under review.

Quarters are defined as a 3 month period of time and are determined by the start date of a contract. The number of potential quarters in a contract period is determined by the length of the contract period. Contract periods of 12 months could receive 3 or 4 quarterly evaluations. If the contract is renewed for another term, a fourth quarter evaluation is required. If the contract does not renew at the end of 12 months, performance during the fourth quarter is included in the final evaluation.

A contract written for less than 12 months will contain fewer quarters. For example, a contract that starts on April 15, 2010 and ends on December 15, 2010 is in effect for 8 months. This contract period contains 2 quarters. The first quarter begins April 15 and ends July 14. The second quarterly begins July 15 and ends October 14. The evaluation of the remaining 2 months of the contract period is included in the final evaluation.

Multi-year contracts will receive 4 quarterly evaluations each year of the contract **with the exception of the final year**. The final year the contract will receive 3 quarterly evaluations. Performance during the fourth quarter is included in the final evaluation.

The CDPHE Quarterly Contractor Performance Evaluation and Rating Worksheet is used to conduct quarterly evaluations. The worksheet is a single page form completed entirely by CDPHE staff. The Quarterly Contractor Performance Evaluation Procedure provides steps that must be followed to complete the evaluation process. The completed worksheet containing the result for each evaluation is converted to a PDF document and emailed to the contractor to provide feedback on performance. Email language is provided to ensure a consistent message to the contractor. The contractor is provided 14 calendar days to review the worksheet and submit comments, if any. If noncompliance issues or deficiencies are identified as a result of the evaluation, CDPHE staff follows up with the contractor to implement activities to resolve them. Quarterly performance evaluations must be completed no later than 30 calendar days after the end of the quarter. Results of the quarterly evaluation ARE NOT entered into the CMS

FINAL PERFORMANCE EVALUATION

Final Contractor Performance Evaluations are required of all contracts with an effective date of July 1, 2009 or later or contracts that have been amended effective July 1, 2009 or later. **EXEMPTIONS:** Interagency Agreements, Revenue, Real Property and contracts for Commodities/Goods are exempt, regardless of the contracting entity.

The final performance evaluation is conducted when the life of the contract ends and the contract is complete. The life of the contract ends when it can no longer be renewed under Procurement Code, the program chooses not to renew, funding is no longer available, services are no longer needed or the contract is terminated.

The evaluation is based solely on documentation maintained in fiscal and program files that reflect performance during the contract period

The Final Contractor Performance Evaluation form is used to conduct and record the results of the final evaluation. This form was developed by the Office of the State Controller and customized to include additional evaluation categories used by CDPHE. The form is available on the Contract Performance Monitoring intranet web page which can be accessed by clicking on <http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html>

If the evaluation results in a Below Standard rating, the program or fiscal staff must notify the Contracts Performance Manager or the Purchasing and Contracts Unit Director as quickly as possible after the rating has been determined. **DO NOT** send the evaluation form to the contractor.

The completed form must be converted to a PDF document and emailed to the contractor using email language provided to ensure a consistent message. The contractor is provided 14 calendar days to review the form and submit comments, if any.

The Final Contractor Performance Evaluation Procedure provides steps that must be followed to complete the evaluation process. Final performance evaluations must be completed no later than 30 calendar days after the contract is complete. Reference section II: General Instructions/ Evaluation Time Line for definitions of contract completion.

The rating resulting from the final evaluation and any comments the contractor submits will be recorded in the Contract Management System (CMS). If the contract meets the requirements of C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101, and 24-105-102, the final evaluation rating and contractor comments will be posted to the public website <http://contractsweb.state.co.us>

CONSTRUCTION REPORT (EVALUATION)

Construction contracts with a value of \$500,000 or more must receive a Final Contractor Performance Evaluation along with a Construction Contract Performance Evaluation. Two forms must be completed as part of this process. Both forms are available on the Contract Performance Monitoring intranet web page which can be accessed by clicking on <http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html>

If either of the evaluations results in a Below Standard rating, the program or fiscal staff must notify the Contracts Performance Manager or the Purchasing and Contracts Unit Director as quickly as possible after the rating has been determined. **DO NOT** send the evaluation form to the contractor.

Both completed forms must be converted to PDF documents and emailed to the contractor using email language provided to ensure a consistent message. The contractor is provided 14 calendar days to review both forms and submit comments, if any.

The Construction Contractor Performance Evaluation Procedure provides steps that must be followed. The Construction evaluation process must be completed no later than 30 calendar days after the completion of the contract. Reference section II: General Instructions/ Evaluation Time Line for definitions of contract completion.

The rating resulting from the construction evaluation and any comments the contractor submits will be recorded in the Contract Management System (CMS). This information will be posted to the public website <http://contractsweb.state.co.us>

IV: EVALUATION OF TERMINATED CONTRACTS

Contracts that are terminated due to a loss of funding require a final evaluation be completed no later than 30 days after the termination date **IF** the total amount paid for the contract period was \$100,000 or more at the time of termination. If the total amount paid was less than \$100,000, a final evaluation is not required.

Contracts that are terminated due to performance issues, **MUST** receive a final performance evaluation, regardless of the total amount paid during the contract period.

V: EVALUATION OF MULTI-PARTY CONTRACTS

Multi-party contracts are subject to quarterly and final performance evaluations. CMS records only allow for one Final Contractor Performance Evaluation on a single contracting entity. The parties must determine which contractor will receive the performance evaluation on behalf of all parties involved. This information should be included in the Scope of Work.

Multi-party records entered into CMS are subject to the public reporting requirements under C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101, and 24-105-102.

VI: EVALUATION PROCESS

Regardless of the type of evaluation conducted, quarterly, final or construction, the evaluation must be based on a review of documentation reflecting performance maintained in CDPHE files. Documentation can include, but is not limited to, program and fiscal reports, work plans, invoices, correspondence, notes to the file, meeting minutes, Corrective Action Plans, etc. Both fiscal and program documentation must be reviewed during the evaluation. Documentation can be in the form of paper hard copies or electronic files. Any documentation reviewed as part of the evaluation process or documentation generated as a result of the evaluation process must be maintained in CDPHE files. Documentation can be archived either electronically or in hard copy. If archiving electronically, files must be saved to a CDPHE shared drive for easy access.

The staff member conducting the evaluation must be familiar with the contract and the contractor's performance. This individual is referred to as the "Evaluator" in all CDPHE performance evaluation related materials. The Evaluator is usually a program staff member although some situations exist where fiscal staff is the sole monitor of a contract. The Evaluator must have CMS access at the "Program Manager" level. This level of access provides "Read Only" capability. Access to the system allows the Evaluator's name to be listed within a CMS record as the individual overseeing the contract. **The Evaluator DOES NOT enter data into the system.**

Prior to the first quarterly evaluation of the contract period, the Evaluator must confirm the appropriate individual(s) within the contractor's organization to receive the performance evaluations. If multiple people are to receive the evaluation, a single individual must be identified as the party responsible for acknowledging receipt of the evaluation and providing comments back to the Evaluator concerning the evaluation, if any.

NOTE Evaluations are sent to the entity that we have contracted with, **NOT subcontractors** who may be providing the service. Subcontractors can only receive evaluations if prior written consent has been obtained from the contractor. **ONLY the contractor can submit comments relating to the evaluation results. DO NOT** accept comments from the subcontractor.

Completed evaluation forms, quarterly, final or construction, must receive approval from the Evaluator's supervisor prior to submission to the contractor. Approval can be achieved through a number of methods. One method would be to email the Quarterly Worksheet, Final Contractor Performance Evaluation form or Construction Report form (whichever is applicable) to the supervisor and receive approval through return email. This method may not be feasible when a large number of evaluations occur at the same time. Each business unit is responsible for developing methods to implement the required procedures for conducting performance evaluations, to include supervisor approval.

The evaluation process includes procedures for each type of evaluation. These procedure documents are included in this handbook and posted as individual documents to the Contract Performance Monitoring web page. <http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html> Each procedure lists the steps to be taken to complete the evaluation process and the time line for completion.

VII: BELOW STANDARD RATINGS & DISPUTES

Final Contractor Performance Evaluations may result in a Below Standard. If this occurs, notify the Contracts Performance Manager or the Purchasing and Contracts Unit Director **immediately**. **DO NOT** email the evaluation form to the contractor until advised to do so.

Regardless of the rating given, a contractor may disagree with the evaluation/rating; they may request to meet with program or fiscal staff to discuss the results. **DO NOT** engage in a discussion about the results or schedule a meeting to discuss the results. Notify the Contracts Performance Manager or the Purchasing and Contracts Unit Director **immediately**.

If a contractor expresses an interest in disputing the rating, **DO NOT** engage in a discussion with them. If a contractor asks about a process to appeal the evaluation results, **DO NOT** provide technical assistance to guide them through the process. Notify the Contracts Performance Manager or the Purchasing and Contracts Unit Director **immediately**.

VIII: EVALUATION CATEGORY DEFINITIONS & FACTORS

The 5 categories listed below are used by CDPHE to assess each contractor's performance during the contract period. The categories are used for the quarterly and final evaluation. Construction evaluations include these 5 categories and an additional 2 categories required by statute. Each evaluation category is described and examples of possible factors are provided. Divisions/Programs are encouraged to identify factors within each category that are applicable to their contracts. Factors listed below that are not applicable can be removed from the list and replaced with factors developed by the Division/Program.

While factors can be customized, the descriptions **CANNOT**. **Do not edit the evaluation category descriptions.**

Programs should ensure that contractors are aware of the evaluation process and the categories used to evaluate performance. Programs should be aware that some contractors have multiple contracts within CDPHE and therefore will receive multiple evaluations throughout the year. Each contract is unique and programs should utilize contract specific factors to evaluate performance under each category. This necessary flexibility may be confusing to contractors and will require thoughtful explanation. If the contractor requires clarification or additional information about the categories or evaluation process, direct them to the Contracts Performance Manager.

QUALITY: The contractor achieved desired outcomes with a minimum of avoidable errors and problems. Work met the requirements, expectations or desired outcomes as set forth in the contract/scope of work. The work was accurate and complete. The work was done in an efficient and effective manner.

Factors:

- Overall compliance with the contract - the contractor should comply with the terms and conditions (to include program and funding requirements) of the contract and show an understanding of agency's standards and expectations.
- Conformity to specifications - the product or service must conform to the specifications identified in the original solicitation and contractual agreement. The product should perform and/or the services should be provided as expected.
- Reliability – the rate of product failure is within reasonable limits or repairs and rework is acceptable.
- Durability – reasonable period of time lapses before replacement is necessary
- Support – should be available from the contractor in a reasonable period of time and meets the need for assistance
- Warranty – reasonable length and provisions of warranty protection is offered and problems are resolved in a timely fashion
- State-of-the-art product/service – The contractor offers products and/or services consistent with industry standards. The contractor should consistently refresh product life by adding enhancements.

TIMELINESS: The contractor performs work within the time frames identified or specified in the contract/scope of work and keeps the project on schedule.

Factors:

- The contractor delivers product and/or services by date agreed to in the contract.
- The contractor meets time lines for the submission of deliverables such as reports, plans, invoices, etc.
- The contractor responds/replies to requests for information or assistance in a reasonable period of time.
- The contractor's average delivery time is comparable to that of other contractors for similar products and/or services.

PRICE/BUDGET: The contractor effectively manages costs and the value of the product and/or services received supported the costs. The contractor adhered to budget as specified in the contract/scope of work.

Factors:

- Contractor's invoices are accurate with appropriate backup documentation.
- Estimates should not vary from the final invoice.
- There are a low number of variances from the initial agreed to prices and the costs stated on received invoices.
- The contractor should be sensitive to costs and demonstrate respect for funding and the agency's needs.

BUSINESS RELATIONS/CUSTOMER SERVICE: The degree to which the contractor is professional and respectful in its business approach and interactions with the agency.

Factors:

- The contractor representative is courteous, cooperative and has a professional approach in all forms of communication.
- The contractor representative handles complaints efficiently and effectively.
- The contractor representative is knowledgeable about the project and/or has the expertise to provide assistance as requested.
- The contractor manages change effectively.
- The contractor representative attempts to resolve problems in a timely manner and follows up with a status report.
- The contractor representative should provide technical support for maintenance, repair and installation situations. Technical instructions, documentation and general information should also be provided.
- The contractor provides training on the effective use of its products or services.

DELIVERABLES/REQUIREMENTS: The degree to which the contractor is compliant in meeting the standards of contract requirements and deliverables.

Factors:

- All deliverables submitted are complete, accurate, submitted within the required time line using required forms or format if applicable.
- Requirements are demonstrated and/or documented.

CONSTRUCTION CONTRACTS ONLY – ADDITIONAL EVALUATION CATEGORIES

Construction contracts with a value of \$500,000 or more must also be evaluated for the following 2 additional categories.

SAFETY: The degree to which contractor mitigates and demonstrates freedom from risk of injury, danger, damage or loss of life or property.

Factors:

- The contractor complies with all Federal, State and local laws and regulations concerning the health and safety of workers, the general public and personal property.
- Contractor's safety record for the project.

DEPENDABILITY: The degree to which contractor demonstrates trustworthiness and reliability.

Factors:

- The contractor is fair, honest and reasonable in interactions with the agency.
- The contractor demonstrates consistency in business operations.
- The contractor is sincere in efforts to deliver a quality product and/or services.
- The contractor follows through on agreements made with the program/agency.

IX: CONTRACTOR PERFORMANCE RATING DEFINITIONS & FACTORS

The following 3 ratings make up the evaluation rating structure. These rating definitions and factors **CANNOT** be customized.

BELOW STANDARD: Contractor performance has been less than standard or satisfactory. This rating encompasses contractors whose performance does not consistently meet expectations defined in the contract/scope of work.

Factors:

- Contractor performance does not consistently meet expectations defined in the contract.
- Close supervision of the contractor was required to progress the work.
- Work was unsatisfactory and consistently failed to meet expectations.
- Lack of cooperation.
- Most performance requirements were not met.
- Significant cost overruns.
- Many schedule slips with negative cost impact.
- Lack of user satisfaction.

STANDARD: Contractor has met all specifications and requirements. This rating includes a range of expected performance as stated in the contract/scope of work to support the project.

Factors:

- Contractor exhibits competency in the assignments and consistently meets the desired expectations of the project.
- Contractor meets standards and objectives and all performance requirements.
- Contractor sometimes exceeds expectations.
- Contractor met overall price.
- Contractor met expectations.
- Deliveries were on time.
- Project schedule was not impacted.
- Adequate user satisfaction.

ABOVE STANDARD: Contractor performance exceeds standard or satisfactory. This rating represents consistent and exceptional performance or consistently superior achievement beyond regular assignments and expectations as state in the contract/scope of work.

Factors:

- Meeting and exceeding performance requirements.
- Significant positive impact to the project.
- Reduced costs while meeting contract requirements.
- All deliveries on time with some arriving early.
- Significantly exceeded expectations.
- High user satisfaction.
- Highly responsive and proactive.

APPENDIX: A

Colorado Department of Public Health and Environment



Colorado Department
of Public Health
and Environment

QUARTERLY CONTRACTOR PERFORMANCE EVALUATION PROCEDURE

EXEMPTIONS: Interagency Agreements, Revenue, Real Property and contracts for Commodities/Goods are exempt from the Quarterly Performance Evaluation. **Quarterly ratings ARE NOT entered into the CMS.**

Step	Action	Responsible
1 – Prior to effective date of contract	Create CMS contract record	Contract Writer for Division/Program
1.1	Provide Contract Writer the name of the individual responsible for monitoring the contract and conducting performance evaluations. This individual is referred to as the “Evaluator” and must have access to the Contract Management System (CMS). <i>To request access to the CMS, contact the CDPHE Contracts Performance Manager.</i>	Evaluator or Supervisor of Evaluator
2 – Early in the first quarter of the contract period	Confirm appropriate individual(s) within contractor’s organization to receive all performance evaluation results. If multiple people are to receive the evaluation, a single individual must be identified as the responsible party for acknowledging receipt of the evaluation and providing comments if any.	Evaluator
2.1	Set up a “tickler” system for reminders to conduct evaluations.	Evaluator
2.2	If the contractor is not familiar with the performance evaluation requirement, email the informational memorandum explaining the requirement http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html . Skip this step if the contractor is familiar with the requirement.	Evaluator
3 – End of Quarter	Consult with other program staff (if applicable) and fiscal staff to review documentation reflecting performance for the quarter.	Evaluator
3.1	Complete the CDPHE Quarterly Contractor Performance Evaluation and Rating Worksheet http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html	Evaluator
3.2	Request supervisor approval of the evaluation result.	Evaluator
3.3	Approval communicated to Evaluator and documented.	Supervisor
3.4	PDF the worksheet and email it to the contractor using email language provided http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html . Contractor is given 14 calendar days to respond with comments.	Evaluator
3.5	A performance improvement plan or action plan should be developed and implemented to resolve compliance issues or deficiencies. Follow up correspondence and completion of plan activities must be documented.	Evaluator and/or Fiscal Staff
4 – No later than 30 calendar days after the end of the quarter	If the contractor responds with comments, archive the comments and all documentation relating to the evaluation process. These documents include, but are not limited to the CDPHE Contractor Performance Evaluation and Rating Worksheet, supervisor approval and contractor comments if any. These documents can be kept electronically or in paper hard copy. Electronic files must be saved to a CDPHE shared drive. Hard copies can be filed in either program or fiscal files.	Evaluator and/or Fiscal Staff

APPENDIX: B

Colorado Department of Public Health and Environment



QUARTERLY CONTRACTOR PERFORMANCE EVALUATION AND RATING WORKSHEET

Effective July 1, 2009, Contractor Performance Evaluations are a required component of CDPHE contract management. CDPHE staff should refer to the Contractor Performance Evaluation Handbook and appropriate procedures prior to conducting an evaluation. This worksheet is completed by CDPHE staff and contains the results of a Contractor Performance Evaluation. The evaluation is based on documentation contained in CDPHE fiscal and program files. The completed worksheet is provided to the Contractor for review and comment.

GENERAL INFORMATION

CDPHE staff will complete this section for each evaluation. Indicate the appropriate evaluation period by completing the corresponding date range for the quarter.

1st Quarter: from to	3rd Quarter: from to
2nd Quarter: from to	4th Quarter: from to
Evaluator's Name:	Evaluator's Title:
Date Form Prepared:	Name of Evaluator's Supervisor:
Contractor Name:	
Original Contract Number & Program Name:	Date sent to Contractor:

SECTION I

CDPHE staff will complete this section for each evaluation. After reviewing documentation maintained in fiscal and program files, provide a rating for each category in the table below. Default is Standard. If a category being rated is not applicable or documentation is not available, the evaluation score defaults to standard. Place an "X" in the appropriate box for each category and provide an overall rating.

Performance Categories	Below Standard	Standard	Above Standard
Quality			
Timeliness			
Price/Budget			
Business Relations/Customer			
Deliverables/Requirements			
OVERALL RATING:			

The text box below must contain the following:

1. List of program and fiscal documents reviewed for the evaluation.
2. Brief explanation of Above Standard or Below Standard ratings listed in the table above.

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APPENDIX: C

QUARTERLY EMAIL LANGUAGE

Communicating evaluation results to Contractor

Instructions: When drafting the email, edit the text in **red** to customize the information and copy and paste the text into your email. Delete the third paragraph, also in **red** and replace with customized text if applicable.

PDF the **Quarterly Contractor Performance Evaluation and Rating Worksheet**, attach it to the email and send it to the designated individual in the contractor's organization.

Hi (**Name of Contactor Representative**),

The Colorado Department of Public Health and Environment, with the support of the Office of the State Controller, has implemented a policy to conduct quarterly contractor performance evaluations as part of Department's routine contract administration activities. This policy applies to all contracts entered into or amended on or after July 1, 2009. The evaluation process is designed to provide feedback concerning your organization's compliance with contract requirements and obligations for each quarter of the contract period.

Your organization's performance under contract (**enter contract routing number**) was evaluated based on documentation maintained in our fiscal and program files. The result of the (**choose 1st, 2nd or 3rd**) quarter evaluation is attached to this email. The evaluation rating for this quarter of the contract period is (**choose Standard, Above Standard or Below Standard**).

(If a compliance issue(s) is identified as a result of the evaluation, enter a paragraph here describing next steps to address the issue(s).

For example – "This performance evaluation resulted in a Below Standard rating due to inaccuracies found in the fiscal and program reports received on September 15th. I will contact you by phone to discuss the needed corrections and timeline." If the evaluation worksheet does not list any compliance issues, delete this paragraph.)

Please **respond to this email within 14 calendar days of receipt** indicating you received the evaluation and provide comments, if any. A lack of response will be construed as acceptance of the evaluation and rating. This evaluation document and your comments will be kept on file.

Thank you,
(**Your name and contact information**)

APPENDIX: D

Colorado Department of Public Health and Environment



FINAL CONTRACTOR PERFORMANCE EVALUATION PROCEDURE

EXEMPTIONS: Interagency Agreements, Revenue, Real Property and contracts for Commodities/Goods are exempt from the Final Contractor Performance Evaluation.

Final Contractor Performance Evaluations must occur when a contract is complete. A contract is complete when the contractor has finished all of its performance obligations, including submission of its final invoice, and CDPHE has accepted the contractor's performance and agreed upon the final payment or six (6) months has passed since the contractor submitted its final invoice.

The rating resulting from the final evaluation and any comments the contractor submits will be recorded in CMS. If the contract meets the requirements of C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101, and 24-105-102, the final evaluation rating and contractor comments will be posted to the public website <http://contractsweb.state.co.us>

For construction contracts valued at \$500,000 or more, refer to the CDPHE Construction Contractor Performance Evaluation Procedure.

Step	Action	Responsible
1 – Upon Contract completion	Consult with other program staff (if applicable) and fiscal staff to review documentation reflecting performance for the final quarter of the contract period AND review all previous quarterly evaluations.	Evaluator
	Complete the general information section above the first yellow heading and the evaluation section below the first yellow heading in the CDPHE customized Final Contractor Performance Evaluation Form http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html	Evaluator
1.1	Request supervisor approval of the form	Evaluator
1.2	Approval communicated to Evaluator.	Supervisor of Evaluator
1.3	PDF the form and email it to the contractor using email language provided http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html Contractor is given 14 calendar days from the day the email was sent to respond with comments.	Evaluator
2 – Upon receipt of contractor response or end of 14 days	In the Word version of the form, complete the remaining data fields below the second yellow heading. Print the form and complete the signature section at the bottom of the form.	Evaluator
2.1	Provide the Contract Writer with the following: a. Completed, signed evaluation form b. Contractor comments if any c. Date the form was emailed to the contractor for review	Evaluator
2.2 – No later than 30 calendar days after the completion of the contract	Complete the following data fields in the CMS record: a. Did the Contractor/Vendor submit comments as to the State's performance under the contract? (Yes/No) b. Final Contractor/Vendor Rating (Standard, Above Standard/Below Standard)	Contract Writer

	<p>c. When was the Final Rating sent to the Contractor/Vendor? (enter date)</p> <p>d. Did the Contractor/Vendor submit responses to its Final Evaluation (Yes/No)</p> <p>e. Contractor/Vendor Comments (Copy and paste any comments submitted by the contractor in the provided text box). If comments exceed size of text box, indicate that a document containing all comments is attached to the record.</p> <p>**Scan the completed, signed evaluation form and attach to the CMS record</p>	
2.3	<p>If the contractor responds with comments, archive the comments and all documentation relating to the evaluation process. These documents include, but are not limited to supervisor approval, emails, Final Contractor Performance Evaluation Form, etc. These documents can be kept electronically or paper hard copy. Electronic files must be saved to a CDPHE shared drive. Hard copies can be filed in either program or fiscal files.</p>	Evaluator and/or Fiscal Staff
<p>Contractors expressing an interest in the dispute process should be directed to the Contracts Performance Manager</p>		

APPENDIX: E

FINAL & CONSTRUCTION EMAIL LANGUAGE

Communicating evaluation results to Contractor

Instructions: When drafting the email, edit the text in **red** to customize the information and copy and paste the text into your email. **PDF the Final Contractor Performance Evaluation Form**, attach it to the email and send it to the designated individual in the contractor's organization.

If a construction evaluation has been conducted as well, attach the PDF **Construction Contractor Performance Evaluation Report Form** along with the **Final Contractor Performance Evaluation Form** and send it to the designated individual in the contractor's organization.

Hi **(Name of Contactor Representative)**,

The Colorado Department of Public Health and Environment, with the support of the Office of the State Controller, has implemented a policy to conduct contractor performance evaluations as part of Department's routine contract administration activities. All contracts entered into or amended on or after July 1, 2009 will receive an evaluation at the end of the contract period. This evaluation will include the results of evaluations conducted quarterly throughout the contract period and is referred to as the final evaluation.

The final evaluation is designed to provide feedback to you concerning your organization's overall compliance with contract requirements and obligations throughout the contract period. In compliance with C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101, and 24-105-102, the final evaluation rating will be posted to a public website if the contract is valued at \$100,000 or more and was entered into or amended on or after July 1, 2009. The public website is a searchable database of all State personal services contracts meeting these criteria. If the evaluated contract meets the statutory requirements, the rating is anticipated to be posted to the website 30 calendar days after the contract expires. The following link provides access to the public website <http://contractsweb.state.co.us>

Your organization's performance under contract **(enter contract routing number)** was evaluated based on documentation maintained in our fiscal and program files. The result of the final evaluation is attached to this email. The evaluation rating for the entire contract period is **(choose Standard, Above Standard or Below Standard)**.

Please **respond to this email within 14 calendar days of receipt** indicating you received the evaluation. Include any comments concerning the evaluation and/or the State's performance under the contract. A lack of response to this email will be construed as acceptance of the evaluation and rating. This evaluation document and any comments submitted will be kept on file.

Thank you,
(Your name and contact information)

APPENDIX: F

Colorado Department of Public Health and Environment



CONSTRUCTION CONTRACTOR PERFORMANCE EVALUATION PROCEDURE

Construction contracts with a value of \$500,000 or more must receive a construction specific evaluation in addition to the final performance evaluation upon completion of the contract.

Construction contracts are complete when either the contractor warranty period ends, occurring one (1) year following the date of the Notice of Substantial Completion, or as otherwise provided in the construction contract **OR** public notification requirements are completed under CRS §38-26-107.

The rating resulting from the final evaluation, construction evaluation and any comments the contractor submits will be recorded in the CMS. If the contract meets the requirements of C.R.S. §§ 24-102-205, 24-102-206, 24-103.5-101, and 24-105-102, the construction evaluation rating and contractor comments will be posted to the public website <http://contractsweb.state.co.us>

Step	Action	Responsible
1 – Upon Contract completion	Consult with other program staff (if applicable) and fiscal staff to review documentation reflecting performance for the final quarter of the contract period AND review all previous quarterly evaluations.	Evaluator
1.1	Complete the Final Contractor Performance Evaluation form as instructed in the Final Contractor Performance Evaluation Procedure	Evaluator
1.2	Complete all sections of the Construction Contractor Performance Evaluation Report form and complete the signature section at the bottom of the form http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html	Evaluator
1.3	Request supervisor approval of both forms	Evaluator
1.4	Approval communicated to Evaluator	Supervisor
1.5	PDF both forms and email them to the contractor using email language provided http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html Contractor is given 14 calendar days to respond with comments.	Evaluator
2 – Upon receipt of contractor comments or at the end of 14 days	In the Word version of the Final Contractor Performance Evaluation form, complete the remaining data fields below the second yellow heading. Print the form and complete the signature section at the bottom of the form.	Evaluator
2.1	Provide the Contract Writer with the following information: a. Both forms completed and signed b. Contractor comments if any c. Date the forms were emailed to the contractor for review	Evaluator
3 – No later than 30 calendar days after the completion of the contract	Complete the following data fields in the CMS record: a. Did the Contractor/Vendor submit comments as to the State's performance under the contract? (Yes/No) b. Final Contractor/Vendor Rating (Standard, Above Standard/Below Standard)	Contract Writer

	<ul style="list-style-type: none"> c. When was the Final Rating sent to the Contractor/Vendor? (enter date) d. Did the Contractor/Vendor submit responses to its Final Evaluation (Yes/No) e. If the Contract is for Construction, when was an Evaluation Performance Report prepared? f. Did the Contractor/Vendor DISPUTE the Construction Report? (Yes/No) g. Contractor/Vendor Comments (Copy and paste any comments submitted by the contractor in the provided text box). If comments exceed size of text box, indicate that a document containing all comments is attached to the record. <p>**Scan the completed, signed forms and attach to the CMS record</p>	
3.1	<p>If the contractor responds with comments, archive the comments and all documentation relating to the evaluation process. These documents include, but are not limited to supervisor approval, emails, Construction Contractor Performance Evaluation Form, etc. These documents can be kept electronically or paper hard copy. Electronic files must be saved to a CDPHE shared drive. Hard copies can be filed in either program or fiscal files.</p>	Evaluator and/or Fiscal Staff
Contractors expressing an interest in the dispute process should be directed to the Contracts Performance Manager.		

APPENDIX: G

EVALUATION FORMS

Quarterly Evaluation Worksheet

This form is available on the CDPHE intranet on the Contract Performance Monitoring web page <http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html> A sample is included in this document.

Final Contractor Performance Evaluation Form

The Final Contractor Performance Evaluation Form is available in MS Word format on the Contract Performance Monitoring web page <http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html> Due to formatting, this form is not included in this handbook.

Construction Contractor Performance Evaluation Report Form

The Construction Contractor Performance Evaluation Report form is available in MS Word format on the CDPHE intranet on the Contractor Performance Monitoring web page <http://10.1.0.25/ASD/PUR/ContractPerfMonitoring/index.html> Due to formatting, this form is not included in this handbook.

APPENDIX: H

TECHNICAL ASSISTANCE

For questions, concerns, technical assistance or training, contact Deb Polk, CDPHE Contracts Performance Manager at 303-692-2136 or deb.polk@state.co.us